

OWNERSHIP TRANSFERS



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Limiting Condition (SWM/ERP)

The permittee shall notify the District in writing within 30 days of any....transfer of ownership or control of a permitted system or real property on which the permitted system is located.....The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to transfer of the system.

Limiting Condition (Water Use)

Pursuant to Rule 40E-1.6105, F.A.C., Notification of Transfer of Interest in Real Property, within 30 days of any transfer of interest or control of the real property providing a copy of the instrument effectuating the transfer, as set forth in Rule 40E-1.6107, F.A.C.

Pursuant to Rule 40E-1.6107 (4), The permittee transferring the permit shall remain liable for all actions that are required as well as all violations of the permit which occurred prior to the transfer of the permit.

Rules Governing Permit Transfers

40E-1.6105

Within 30 days of any transfer of interest or control of the real property.....the permittee must notify the District, in writing... giving the name and address of the new owner or person in control and providing a copy of the instrument effectuating the transfer.

40E-1.6107

This rule details the conditions under which a permit transfer will be given by the District

Basic Requirements for Transfer of Ownership

- **Proof of ownership**
 - **Warranty, quit claim, trustees deed or other conveyance.**
 - **Ownership should be for the entire permitted area.**
 - **An exception to this would be a phase of a project having its own application number.**
- **Signed application form 0483 (attachment 1)**
 - **Signature of owner or authorized representative, or agent.**
 - **Letter of authorization required for agent.**

Basic Requirements for Transfer of Ownership **(cont'd)**

- **Processing Fees**
 - **\$300 for Water Use Permits**
 - **\$450 for Environmental Resource and Surface Water Permits**
 - **These fees apply for the Letter Modification/Transfer applications as well.**
- **Project Map**
 - **Survey Map**
 - **Site Map**
 - **Location Map**
 - **Sketch**
 - **The map can be copied from the original permit**

When is an Ownership Transfer NOT Appropriate?

- A change in land use.
- The permit has expired.
 - A request for Transfer does not extend the permit.
- The transfer request is actually for a conversion transfer to the operation phase.
- The applicant owns less than the originally permitted project area.



Letter Modifications with Transfers

- When is a letter modification with transfer appropriate:
 - When the applicant does not own the entire permitted area and there are no prior modifications for the subject site. This modification with transfer will create a breakaway permit.

Original permitted area Under applications 010276-A 890301-16 950423-15	Applicant Owned area Not previously permitted separately
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 - When minor changes requiring a letter modification are necessary. These will not necessarily create a breakaway permit.
- Basic requirements are the same as a permit transfer, plus the modification request.

Process for completing letter modifications with transfer

- The letter modification with transfer is logged in.
- A copy of the application is given to the reviewer and a copy goes to John in West Palm Beach

Reviewers Responsibilities:

Review Modification

Create Summary Sheet

Update Database

Finalize and Mail Letter to New Owner

Route Completed File to John

Johns Responsibilities:

Send Notice of Intent

Review Transfer Documents

Generate Transfer Letter and Permit

When is it appropriate to create a breakaway?

- A breakaway permit should be created only under the following circumstance:
 - A modification issued to a **new owner** for a portion of the permitted project area.

- **Modifications that are submitted by the original permittee are not considered breakaways.**

QUESTIONS

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